1946.

File No. Est. II Revision 46

Legal Department.

(**BRANCH**

Subject:—

Papers regarding Pay and conditions of service of Government employees :—

Review.

122/E)

File No. Est. II Revision/46.

Gen. 194 e.

426

confidential.

Bombay 16th September 1946.

Dear Mr. Moos,

I am informed that the Question of the Pay Commission of the Bombay Government is being circulated to the heads of the Departments for their remarks. Since the questionaire has not been sent to the office of the Public Prosecutor I presume that any suggestions on behalf of the Law Officers will be made by you as the Head of the Department. am therefore writing this demi-officially to you to invite your attention to two matters which require special attention of Government as regards the Public Prosecutor and myself.

2. While all other Officers of Government have been given dearness allowance to compensate them for the enormous increase in the standard of living consequent on the fallen value of the Rupee, part time Officers have been denied this relief. It may be submitted that if dearness allowance is given to compensate Government servants for the fallen value of the Rupee, in principle, there is no justification for making a distinction in the

the case of part-time officers.

3. In the case of Officers like Petigara & myself our work entails, inter alia, the giving opinions and attendances in Police Courts. The Police Courts have no vacation and consequently though we are part-time officers, we are not in the same position as Officers of Vacation — Departments. It is therefore but just and fair that provision should be made as regards adequa privileged-leave. It need not be pointed out that though we are part-time Officers, our othe work has to be done subject to our duty to — Government.

4. While as a matter of practice we are permitted to leave Bombay for a short period theough the courtesy of the Head of the — Department, this is a matter of arrangement only and is not the same thing as privileged -leave.

5. I hope you will kindly bear these matte

in

in mind while making your suggestions as the Head the Department.

6. I gather that, the Legal Department has always recognised that the salaries paid to the Public — Prosecutor and the Assistant Public Prosecutor are not adequate. I have therefore not referred to matters about the variation of the scales, Provident Fund and similar matters which I hope will be considered uniformly by Government so as to apply to all Government servants.

Yours sincerely,

Sd/- U.V.MENAI,

P.N. Moos Esqr., I.C.S.,
Secretary to Government,
Legal Department.

HB.
31.7.

Pay and conditions of service of Government employees: Review of———

Government of Bombay.
Finance Department.
Circular No.6667/33
Bombay Castle, 28th August 1946.

The Government of India has appointed a Pay Commission to enquire into the pay and conditions of service of Central Government employees. The Commission has issued a questionnaire for eliciting the views of non-official bodies, provincial Governments, etc. The Government of Bombay has under consideration the question of revision of the pay scales, etc. of its own employees and has prepared the accompanying questionnaire on the lines of the one issued by the Central Pay Commission.

2. The Heads of Departments are requested to give their replies to the questionnaire concisely and to forward them to the Administrative Departments of the Secretariat concerned by the 25th September 1946. If the Heads of Departments have no remarks to offer on any particular question which does not relate to their Department, this should be indicated in the answer to the question.

3. The Secretariat Departments should forward to this Department, by the 10th October 1946, the replies of the Heads of Departments under them, together with their own views on the several points in the questionnaire.

By order of the Governor of Bombay,
Sd/-
Financial Advisor to Government.

To
All Departments of the Secretariat (except the Separate Department).
All Heads of Departments under the several Departments of the Secretariat.

RB.
31.7.

QUESTIONAIRE.

"A" Classification of Service.

1. Posts are generally classified into Class I, Class II, Subordinate and Inferior Services. Do your consider that this classification requires any modification generally or in respect of your department or any class or classes of employees? If so, what modifications in the present classification and nomenclature do you suggest?

2. If you propose any alternative classification, what broad criteria would you suggest for the differentiation of duties and responsibilities of posts to be included in each category?

"B" Standards of Remuneration.

3. What tests and standards would you suggest as appropriate basis to be adopted in fixing the salary or remuneration of the various grades of employees above referred to when Indians recruited in India are appointed to those posts? Please illustrate your views by working out scales of pay on that basis for any of the services.

4. If in any circumstances recruitment has to be made of non-Indians from outside India for any posts or services, how should the remuneration be fixed in such cases vis-a-vis the rates prescribed for Indians?

5. What is your opinion as to the fairness of the present standards of remuneration for different grades and categories of Government employees? If you are not satisfied about it, on what lines and to what extent would you suggest revision of the existing scales of remuneration, in respect of the different grades of Government employees?

6. It has been said that Indians holding posts in the public service in India should not be paid more than public servants doing comparable work in England. Do you consider this a valid criterion to apply in judging standards of remuneration

7. Do you consider that the only test which should be applied to judge of the adequacy of remuneration for posts under Government is the criterion whether Government is paying the market value for the class of recruit and no more?

8. In case you agree with the view referred to in the last question, in respect of what categories of Government employment do you consider the application of this principle practicable, and how far, in your opinion does the present standard of remuneration for these categories diverge from that prevailing in comparable outside employments?

9. As it may not be possible to recommend any long term arrangement in respect of the pay of public servants except with reference to a tolerably steady level of prices of foodstuffs, clothing and other essential commodities, would you venture any suggestion as to when during the next few years the level of prices in India may be expected to attain a reasonable measure of stability and at what level they are likely so to stabilise, taking the prices prevailing in 1932 to furnish the datum line?

"C" Rationalisation, Simplification and Uniformity in Pay Terms.

10. Do you consider it proper that there should be uniformity of payment for similar kinds of work as between different departments and different sections of the same department and as between the Centre and the Provinces and in all the Provinces? So far as you are aware, is there any dissatisfaction on the score of disparity in earnings in regard to any specified grades or posts in any department under Government?

13. (a) Do you consider the structure of the present pay scales of services convenient, adequate and satisfactory?

(b) In particular, are they calculated to secure a proper differentiation between grades of responsibility and to secure that Government get a fair return for the scale of remuneration paid to its employees? Would you suggest any, and if so, what modifications?

14.....

14. What is your experience of the results of the working time scales of pay and of efficiency bars?

15. In particular, does the working of the progressive ti scale secure adequate reward for merit and afford an incentive for efficiency; to what extent should the principle of merit and of seniority be respectively adopted in the matter of promotions; and how far is the present system of promotions between grades satisfactory (a) as between the basic scale and selection grade of a service, and (b) as from clower to a higher service?

16. Do you favour the abolition of the distinction betwee the old and the new scales of pay and the prescription of a uniform scale for each category of posts?

17. Do you consider reduction in the number of time-scale or a reduction in the length of existing time-scales desirable f ensuring a better grading or duties or responsibilities of posts of a a like of similar character with a view to rationalisation?

18. In the present practice of granting dearness allowanc and war allowance to meet the temporary steep increases in the cost of living due to conditions created by war quite satisfactory? W uld you recommend that the whole or any part of the dearness allowance might be absorbed in future pay scales in the event of a decision to revise them in an upward direction?

19. If a new scale of remuneration were fixed now how would yous provide for its adjustment to meet future variations in prices or cost of living; alternatively, is a sliding scale of remuneration which would provide automatically for increases in the cost of living preferable and practicable; if so, would you allow this method of remuneration to all grades of public servants or only to some; in the latter case, to what grades would you allow the benefit of such a provision?

20....

20. Apart from the endeavour to neutralise the effect of the rise in prices by a corresponding increase in pay, do you consider it necessary or proper that in the case of some classes of public servants the existing scales of pay should in any event be increased on the ground that even at the time they were fixed they were inadequate to enable the Government servant to maintain himself and his family at a reasonable level of health, comfort and efficiency? If so, to what classes of public servants would you allow this increase and at what rates and on what principles would you fix the increase to be allowed on that ground?

21. Do you favour equal pay for equal work irrespective of difference of sex, or would you allow special rates of pay for women employed working in categories to which they are eligible along with men?

22. What principles should, in your opinion, be observed in regard to fixation of basic rates of pay of unskilled labour? What would you consider a proper basis of differentiation between unskilled, semi-skilled and skilled labour? Having regard to your replies on these points what do you consider should be the principles to be followed in respect of the remuneration of daily-rated employees of Government:-

(i) to ensure a fair wage;
(ii) to provide for variations in the wage levels; and
(iii) to secure adequate remuneration for piece-workers?

23. In regard to terms of remuneration would you make any difference between employees on the non-industrial or non-commercial?

24. Have you any suggestions to make in regard to—
(i) Holidays for public servants;
(ii) hours of work of public servants;
(iii) payment of overtime and other allowances;
(iv) the working of the daily rate system in regard to Government employees;
(v) the piece-work system in its application to Government employees?

25....

25. Have you any other proposals to make in regard to the conditions of salary not covered by answers to the above questions?

"D" Leave.

26. Is the present practice under which widely different sets of rules govern the grant of leave to different classes of Government employes working satisfactorily?

Having due regard to the variation in the conditions of employment and the differences in the nature of the duties and responsibilities of different grades and classes of Government servants, to what extent can leave terms be rationalised and simplified?

27. Under existing leave rules, to what extent do public servants or particular classes of public servants normally take:-

(a) all the full-pay leave due to them;
(b) all the leave on half pay that may be admissible to them?

28. Do you consider any changes necessary in the existing rules and limitations relating to remuneration during leave other than leave on full pay? If so, what changes do you recommend?

29. Do any of the present leave rules applicable to different classes of public servants cause administrative inconvenience or hardship to employes and if so what remedies or modifications would you suggest?

30. In regard to terms of leave, would you make any difference between employees of industrial or commercial departments of Government and employees on the non-industrial or non-commercial side?

30.....

30. Do you consider the present leave terms adequate

(a) for affording sufficient recuperation to staff; and
(b) for affording facilities for those desirous of doing so to improve their professional qualifications?

31. In regard to terms of leave, would you make any difference between employees of industrial or commercial departments of Government and employees on the non-industrial or non-commercial side?

32. Have you any other proposals to make in regard to conditions of leave not covered by answers to the above questions?

"E" Retirement Benefits.

33. What, in your opinion, will be the best method to secure adequate provision for a Government servant and his family against the two eventualities of retirement and death?

34. Have the present rules regarding retirement from Government service and the grant of pensionary benefits or gratuities including the alternative or contributing to a Provident Fund, been found inconvenient or inappropriate? If so, what changes do you consider desirable in respect of—

(a) the age of retirement;
(b) the minimum service qualifying for retirement;
(c) the scale of pensions, additional pensions and gratuities; and
(d) the basis with reference to which average emoluments are calculated?

35. Do you consider that the existing pension rules for pensionable employees afford the same net advantages as the Provident Fund Rules applicable to Railway employees? Do you consider any change in the existing system or pensionary benefits justified so as to provide for a measure of family provision, especially in the case of persons dying in harness without pension or a pensioner dying soon after retirement? What sort of scheme would you prefer:-

(a)....

(a) surrender of a given amount of pension so as to obtain a capital sum to be paid to dependant beneficiaries; or
(b) a reduction in the existing scale of pension with an alternative supplementary benefit in the shape of a contribution to a Provident Fund or a Family Pension Fund, or a special contribution or gratuity based on the public servant's length of service and assessed at a given proportion of pay, for example, half or one-third of a month's pay for each year of service;
(c) compulsory State insurance;
(d) revision in the terms of commutation of pension?

36. Do you consider the existing provident Fund Rules applicable to different classes of Government employees adequate to secure a proper provision for the family of an employee or an appropriate benefit to the employe himself on retirement which will be fairly equivalent to the pensionary benefit? Would you recommend a surrender of any Provident Fund benefits and substitution therefore of pensionary benefits?

***

33. In regard to retirement benefits, would you make any difference between employes of industrial or commercial departments of Government and employees on the non-industrial or non-commercial side?

30. Have you any other proposals to make in regard to retirement benefits not covered by answers to the above questions?

***

"G" Conciliation Machinery.

41. Do you consider the existing rules-

(i) providing for grant of recognition by Government to Employees' Associations;
(ii) permitting representation to the authorities by employees, individuals or otherwise;
(iii) authorising authorities to pass orders of fine, suspension, demotion, discharge or dismissal; and
(iv) giving the employees a right to appeal or seek redress against such orders, adequate to protect the interests of employees? If not, what additions or modifications would you suggest?

42. What do you consider to be the best machinery for resolving differences between Government and its employees?

43. Is the introduction of the Whitley Council system in regard to Government services desirable?

44. As regards the conciliation machinery, would you make any difference between industrial and commercial departments of Government activities and the non-industrial or non-commercial side?

45. Have you any other suggestions to make in regard to the conditions of service of public servants?

****

RD.
31.7.

L.D.

Submitted.

F.D. has ~~the~~ sent Government Circular No:6567/33, dated 28-8-1946 regarding review of pay and conditions of services of Government employees, together with a copy of the questionaire issued by the Pay Commission and requests to give replies to the questionaire of the Secretariat Departments concerned by 25.9.46 and to forward the replies of the Head of Depts by the 10th October 1946. Copies of the questionaire may in the first instance be forwarded to the Secretaries L.A. & L.C. and the G.P. High Court Bombay with a request to forward their replies to the questionaire to this Department before 1-10-1946.

Sd/-
C/O
Supt.

The circular has been addressed to all the Departments of the Secretariat and all Heads of Departments under the several departments of the Secretariat.

2. All Heads of Departments under the several Departments of the Secretariat have been asked to forward their replies to the Administrative Departments concerned by the 25th Sept. 1946 and all the Depts. of the Secretariat are requested to forward the replies of the Heads Depts. together with their own views on the several points in the questionaire by the 10th October 1946.

3. Since Secys. L.A. & L.C. are included in all the Heads of Depts. under the Several Depts. of the Secretariat it is not necessary to address the copies of the Circular to them but their reply may be awaited till 25th Sept. It is also not necessary to address a copy of the Circular to the Govt. Pleader, High Court, Bombay since he is only a head of Office.

4. Action will be taken on the Circular so far as L.D. is concerned in receipt of replies from Secy L.A. & Secy. L.C.

Sd/-
C/S.

A.S.C.
Sd/-

D.C.
Sd/-
7/9.

RB.
31.7.

IMMEDIATE.
No. 6567/23-B

Finance Department,
Bombay Castle, 26th September 1916.

Subject: Pay and conditions of service of Government employees: Review of:-

Memorandum:

The undersigned presents compliments to the Secretary to Government, L e g a l D e p a r t m e n t, and is directed to invite his attention to this Department Circular No.6567/23, dated 28th August 1916. In paragraph 2 of this Circular the Heads of Departments have been asked to forward their replies to the Administrative Departments of the Secretariat by 25th September 1916. If the reply from any Head of Department under the control of the L e g a l D e p a r t m e n t is still outstanding it is requested that steps may be taken to expedite the matter and every effort made to furnish the necessary information to this Department by the 10th October 1916 as directed in paragraph 3 of this Department Circular dated 28th August 1916.

By order ~~xx~~ of the Governor of Bombay,

sd/-
For Financial Adviser to Government.

RD.
31.7.

IMMEDIATE.

No.2020
Legislative Assembly Office,
Council Hall,
Poona, 1st October 1946.

From

The Secretary to the Bombay Legislative Assembly,

To

The Deputy Secretary to Government,
Legal Department.

Sir,

Reference Government Circular in the Finance Department, No.6567/33, dated the 25th August 1946 regarding review of pay and conditions of services of Government employees. The remarks of the Legislative Assembly and Legislative Council offices to the questionnaire received therewith are sent herewith.

Your obedient servant,

Sd/-.
(S.K.SHENDE)
Secretary to the Bombay Legislative Assembly.

Accompaniment:- Questionnaire.

RB.
31.7.

L.D.

Submitted.

2. Please seek F.D. circular at p. 1 ante.

3. Replies to the questionnaire are put up for approval.

4. On approval & the reply together with the replies received from the G.P.H. Ct. Bombay and L.H. & L.C. offices should be sent to F.D. before 10th October 1926.

S d/-
4/10.

d/- J.D.
7/10

Supdt.

Id/- J.D. 8/10. I have made some suggestions.

A.H.S.

Id/- A.H.
8/10

D.S.

Secy.

D.H.M.,
9/10/26.

RB.
31.7.

No.6837

Legal Department,
Bombay Castle, 11th October 1946.

Subject:- Pay and conditions of services of Government employees:
Review of:-

Memorandum.

The undersigned presents compliments to the Financial Adviser to Government and with reference to Government Circular, Finance Department No.6567/33, dated the 20th August 1946, on the above subject, is directed to forward herewith the replies of this Department to the questionnaire received with that Department Circular referred to above along with the replies received from the Legislative Assembly and Legislative Council Offices and the Government Pleader, High Court, Bombay.

By order of the Governor of Bombay

Sd/-
10/10.

for Secretary to the Government of Bombay
Legal Department.

to

The Financial Adviser to Government,
Finance Department.

RB.
31.7.

(1) No.

(2) Does not arise.

(3) No remarks.

(4) As far as Legal Department is concerned there is no occasion to recruit any Non-Indians from outside and hence no remarks are offered.

(5) The present standards of remuneration for different grades and categories of Government employees a most unfair compared with the prevailing high cost of living due to the inflated prices of commodities. The revision of the existing scales of remuneration in respect of the different grades of Government employees should be on the following terms:-

Peons - 40-2-60.

Lower Division clerks and typist -

80-3-160-10-200 efficiency bar - 10-240

Selection grade - 240-15-300

Steno typists - 120-3-160-10-210 efficiency bar 240-15-300

Stenographers - 200-15-350-10-450

Reporters - 300-20-560

Upper Division -

Junior Assistants - 110-15-320

Senior Assistants - 260-15-410

Superintendents - 360-20-600

Senior Superintendents - 550-30-670

Assistant Secretaries - 700-50-900

(6) Yes.

(7) No.

(8) Does not arise.

(9) .....

(9) It is rather difficult to make any forecast in this respect. It is said that the living standard of Indians is very low and that the taxation in India is at low ebbs. With Democracy in India there will be attempts to improve standard of living in India and as the National Government will have to take in hand many schemes of public utility for which money is required which can be raised only by taxation. These things will have definite effect on the level of prices which will not admit of any decrease in salaries now fixed.

(10) There should be uniformity of payment for similar kinds of work as between different departments and different sections of the same department and as between the centre and the provinces and in all the pro vinces commensurat e with the living conditions of each and every place, even in the city of Bombay in some Departments of Central Government e.g. Accountant General pay scales are higher than the Bombay Secretariat.

(13) (a) No.

(b) Yes.

(14) Results of the working of time scales of pay and of efficiency bars are satisfactory.

(15) (i) In a way yes.

(ii) In the matter of promotion the principle of merit should strictly be adhered to. It is no use promoting according to seniority men of no merit and then leaving them to rot, when a prize post comes in. Weeding out should begin at the beginning.

(16) Yes.

(17) There should be only one time scale for ensuring a better grading or duties or responsibilities of posts of a like or similar character.

(18) No.

Yes.

(19)....

(19) New scales should be fixed but should be revised if necessary.

(20) Yes in the cases of inferior servants and the lower Division clerks. Rates should be on the lines suggested in para. 5 above.

(21) Yes.

(22))
) No remarks.
(23))

(24) (i) Holidays - as at present. The holidays which were curtailed during the war time may be restored. Padva day (Hindu New Year day) may be declared as a publi holiday. In addition, there should be at least 3 other big holidays extending over 4 days in the year.

(ii) Hours of work - 11 A.M. to 5 P.M. on work days.
11 A.M. to 1-30 P.M. Saturdays.

(iii) Payment of overtime - should be given to office staff also, as in the Central Government, say in the Custom etc.

(25) In order to encourage Government servants to show merit a reward system, say by way of bonus, should b introduced in cases of efficient and excellent working on the lines which is in existence in Police Department.

(26) No. It leads to dissatisfaction amongst the new entrants.

There should be only two classes for differentiati viz.-

(1) Vocation Departments and

(2) Non-vocation Departments.

There should be uniformity of leave rules in all cases subject to the above sets of classes.

27.....

(27) Half pay leave is very rarely taken when the full pay leave is exhausted and when leave is badly required. Such cases are very few and far between. Full pay leave is taken to the full extent by the new entrants for fear of it lapsing.

(28) Yes. It is sufficient if there is uniformity in leave rules that too on the lines of leave rules in existence before May 1929. In that case question of remuneration during leave does not arise.

(29) As per latter part of para. (27) and para. (28).

(30) No not in the case of new entrants.

(31) No remarks.

(32) No remarks.

(33) Best method to secure adequate provision for a Government servant and his family against the two eventualities of retirement and death would be -

(1) Contributory provident fund on the lines of Railways administration and gratuity for the months equal to the number of years service put in.

(2) Pension payment reduced to 1/3 instead of present 1/2 (for this pension payment a state Insurance system should be introduced.).

The above provisions should be made applicable to both the eventuralities.

(34) Yes.

(a) 55 years.

(b) 21 years duty period and 25 years service.

(c) As in para. (33) above.

(d) Same as at present.

(35) No.

Yes.

(a) to (d) as in para. (33) above.

(36) No.

37.....

(38) No remarks.

(39) No remarks.

(41) Yes.

(42) Arbitration.

(43))
)
(44) and , No remarks.
,
(45))

RB.
31.7.